

AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No. 10/652,243
Docket No. Q77263

REMARKS

Claims 1-5, 7, and 8 are all the claims pending in the application.

Formal Matters

The Examiner has objected to the abstract. Accordingly, Applicant has provided a new Abstract in which the phrase “The invention includes” has been deleted.

In addition, the Examiner has objected to claim 7, alleging a minor informality. In response, the Applicant has amended claim 7 in the manner suggested by the Examiner.

Claim Rejection Under 35 U.S.C. § 102 and §103

Claims 1-6 and 8 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Neumann in view of Du et al. (US 2004/0042212). Claim 7 is rejected under 35 U.S.C. § 102b) as being allegedly anticipated by Neumann et al. (US 5,975,730).

Claims 1-5

As an initial matter, Applicant has amended claim 1 so that this claim includes all of the recitations of dependent claim 6, which have been modified slightly for clarity.

With respect to amended, independent claim 1, Applicant respectfully requests that the Examiner withdraw the rejection at least because there is no combination or Neumann and Du that would reasonably teach or suggest the claimed invention. Specifically, there is no combination of Neumann and Du that would have reasonably taught or suggested the claimed headlamp in which the cutoff line forming unit, the hot zone forming unit, and the diffusion region forming unit are provided in three stages- upper, lower, and middle stages- with the cutoff line forming unit positioned in the middle stage.

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Although Neumann discloses a headlamp with multiple reflectors for producing a variable light beam, Neumann does not teach or suggest that the lights are provided in three stages, with a cutoff line forming unit positioned in the middle stage. Instead, the lamp units are provided in only two stages. See Neumann at Fig. 1.

Du, which the Examiner asserts as showing a light emitting semiconductor device, clearly fails to supply the deficiencies in Neumann discussed above. In fact, the Examiner does not even rely on Du for the feature discussed above.

In conventional vehicle headlamps that do not have semiconductor light emitting elements, the basic low beam pattern can be produced by a single light source. However, for vehicle headlamps that include semiconductor light emitting elements, such as that of claim 1, a single light source cannot produce the basic low beam pattern by itself due to insufficient quantity of light. The inventors of this application scrutinized this deficiency and came across the solution of allocating different types of lamp units to produce the different types of light distributions in order to form a basic low-beam light distribution.

The Examiner argues, without any basis in the references themselves, that it would have been well known to arrange the different units as recited in claim 6 because “Neumann modified by Du’s headlamp discloses the claimed subject matter as discussed above in claim 5.” However, the reference to claim 5 is not understood, since the claim at issue is claim 6 and claim 6 is different from claim 5. In fact, the Examiner is unable to point to any particular portion of Neumann or Du that teaches or fairly suggests the particular arrangement of the lamp units as recited in claim 6. This is because the references are silent as to the particular arrangement

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recited in claim 6. Absent the proscribed use of hindsight, there simply would have been no teaching or suggestion for such an arrangement. Thus, claim 1 which includes the features of claim 6, is believed to be allowable. Consequently, Applicant respectfully requests that the Examiner withdraw the rejection of claim 1 and claims 2-5 which depend therefrom.

Claims 7 and 8

Applicant has amended claim 7 so that this claim includes all of the recitations of dependent claim 6, which have been modified slightly for clarity.

With respect to independent claim 7, Applicant respectfully requests the Examiner to withdraw the rejection at least because Neumann fails to teach or suggest the claimed invention, for the same reasons explained above. Specifically, as explained above, Neumann's lamp units are provided in two stages only. *See* Neumann at Fig. 1. Consequently, Applicant respectfully requests that the Examiner withdraw the rejection of claim 7, as well as claim 8 which depends therefrom.

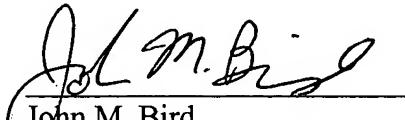
Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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